

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, MARCH 24, 2003 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chairperson Cook; Council Members: Camp, Friendt, McRoy, Seng, Svoboda, Werner, Joan Ross, City Clerk.

Council Chair asked all present to stand and recite the Pledge of Allegiance and reflect for a moment of silent meditation.

READING OF THE MINUTES

FRIENDT Having been appointed to read the minutes of the City Council proceedings of March 17, 2003, reported having done so, found same correct.

Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

MAYOR'S AWARD OF EXCELLENCE

Mayor Don Wesely presented the Annual Awards of Excellence to Richard Slama & Ron Eriksen, Jr. of the Health Dept. The Honorable Mention award went to Russell Murray of the Public Works & Utilities Wastewater Division.

PUBLIC HEARING

CHANGE OF ZONE 3395 - APP. OF MARTIN LUTHER HOMES NEBRASKA HOUSING FOR A CHANGE FROM B-1 LOCAL BUSINESS TO R-5 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT N. 63RD AND Y ST. - Sandy Volker, representing Martin Luther Home Society, came forward in favor of this Change of Zone.

Kurtis Suhr, 8030 Thornview, Architecture One, came forward to share the design plans for the apartment that will be built at 63rd & Y Streets.

Councilman Werner asked if the neighborhood had been contacted regarding this matter. Ms. Volker remarked that she was not aware of any contacts. Mr. Suhr stated he had visited at length with one neighbor that had called him.

This matter was taken under advisement.

SPECIAL PERMIT 1423F - APP. OF D & M DEVELOPMENT L.L.C. TO AMEND HIMARK ESTATES COMMUNITY UNIT PLAN TO IDENTIFY CERTAIN LOTS AS DUPLEX LOTS WITH ZERO SETBACK ON ALL LOT LINES, AT THE EAST END OF AUGUSTA DR. GENERALLY LOCATED AT S. 84TH ST. & OLD CHENEY RD. - Dan Muhleisen, representing HiMark Estates came forward to explain that this is being done to correct the original plans.

This matter was taken under advisement.

APPROVING AN AGREEMENT WITH LOWER PLATTE S. NATURAL RESOURCE DISTRICT TO MAINTAIN THE CITY'S WETLAND MITIGATION BANK - Craig Groat, 4935 Huntington Street, came forward to make general comments.

This matter was taken under advisement.

APPROVING A GOLF LICENSE AGREEMENT BETWEEN THE CITY & TIMOTHY L. ROWLAND FOR PROFESSIONAL GOLF SERVICES AT PIONEERS GOLF COURSE & CLUBHOUSE FOR A PERIOD FROM FEBRUARY 16, 2003 THROUGH APRIL 30, 2006 - Tim Rowland, 543 W. Jennifer Drive, came forward to answer any questions.

This matter was taken under advisement.

APPROVING A GOLF LICENSE AGREEMENT BETWEEN THE CITY & DENIS M. VONTZ FOR PROFESSIONAL GOLF SERVICES AT HIGHLANDS GOLF COURSE & CLUBHOUSE FOR A PERIOD FROM FEBRUARY 16, 2003 THROUGH APRIL 30, 2006 - Denis Vontz, 7514 Brummond Drive, came forward to answer any questions.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

Craig Groat, 4935 Huntington Street, came forward to speak about clean water standards for various areas.

This matter was taken under advisement.

**** END OF PUBLIC HEARING ****

COUNCIL ACTION

LIQUOR RESOLUTIONS - NONE

ORDINANCES - 2ND READING

CHANGE OF ZONE 3395 - APPLICATION OF MARTIN LUTHER HOMES NEBRASKA HOUSING FOR A CHANGE OF ZONE FROM B-1 LOCAL BUSINESS TO R-5 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT NORTH 63RD STREET AND Y STREET - CLERK read an ordinance, introduced by Ken Svoboda, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

RESOLUTIONS

REAPPOINTING DR. HENA ROY, ED SCHNEIDER, TONY MESSINEO, & LARRY HUDKINS TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR THREE-YEAR TERMS EXPIRING APRIL 15, 2006 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82001 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Dr. Hena Roy, Ed Schneider, Tony Messineo, and Larry Hudkins to the Lincoln-Lancaster Board of Health for three-year terms expiring April 15, 2006.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPOINTING JOSE SOTO & BRUCE BAKER TO THE COMMUNITY DEVELOPMENT TASK FORCE TO FILL UNEXPIRED TERMS EXPIRING AUG. 31, 2004 & AUG. 31, 2003, RESPECTIVELY - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82002 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Jose Soto and Bruce Baker to the Community Development Task Force to fill unexpired terms expiring August 31, 2004 and August 31, 2003, respectively, is hereby approved.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPOINTING JANET C. LU TO THE LINCOLN-LANCASTER WOMEN'S COMMISSION FOR A TWO-YEAR TERM EXPIRING MARCH 1, 2005 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82003 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Janet C. Lu to the Lincoln-Lancaster Women's Commission for a two-year term expiring March 1, 2005, is hereby approved.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ORDERING WATER DIST. 1190 CONSTRUCTED IN N.W. 6TH ST. FROM W. DAWES TO W. SAUNDERS - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82004 WHEREAS, the City Council of Lincoln, Nebraska, acting under Article VI, Section 2 of the Home Rule Charter for said City, has created Water District No. 1190 through passage of Ordinance No. 18140 which water district is located in NW 6th Street from West Dawes to West Saunders.

WHEREAS, it is deemed necessary for the general health, welfare and safety of the City of Lincoln, and more so for the health, welfare and safety of the benefitted property included within Water District No. 1190 that said district be constructed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that Water District No. 1190 is hereby ordered constructed.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING AN INTERLOCAL AGREEMENT WITH THE RAILROAD TRANSPORTATION SAFETY DIST. FOR FUNDING OF PHASE 1 OF THE ANTELOPE VALLEY PROJECT - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82005 WHEREAS, the Interlocal Cooperation Act, Neb.Rev.Stat 13-801, et. seq., permits local governmental units to cooperate with other such units to make the most efficient use of their powers on the basis of mutual advantage; and

WHEREAS, the City of Lincoln, Nebraska (City) and the Lincoln/Lancaster County Railroad Transportation Safety District (District) desire to continue to cooperate on the final design, right-of-way acquisition and construction activities for Phase 1 of the Antelope Valley Project (Amended draft single package); and

WHEREAS, the District agrees to continue to participate in the project and has additional budgeted funds in 2002-3002 budget for such participation; and

WHEREAS, the District will pay the City up to \$1,400,000.00 to be applied to said project, and the City will bill the District up to \$1,400,000.00 as expenditures are incurred by the City for such work.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Interlocal Agreement between the City and the District attached hereto as Exhibit "A" in connection with the Antelope Valley Project in Lincoln, Lancaster County, Nebraska, is hereby approved and the Mayor is authorized to execute said agreement on behalf of the City.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SPECIAL PERMIT 1423F - APP. OF D & M DEVELOPMENT L.L.C. TO AMEND HIMARK ESTATES COMMUNITY UNIT PLAN TO IDENTIFY CERTAIN LOTS AS DUPLEX LOTS WITH ZERO SETBACK ON ALL LOT LINES, AT THE EAST END OF AUGUSTA DR. GENERALLY LOCATED AT S. 84TH ST. & OLD CHENEY RD. - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82006 WHEREAS, HiMark Development, Inc. has submitted an application designated as Special Permit No. 1423F for authority to amend HiMark Estates Community Unit Plan to revise General Note 12 to identify Lots 7 - 48, Block 2 as duplex lots with zero setbacks on all lot lines, the specific lots within HiMark Estates Community Unit Plan which will be effected are on property generally located at South 84th Street and Old Cheney Road, and legally described to wit:

Lots 1 through 24, and Lots 26 through 39, Block 1 and Outlot A, HiMark Estates 2nd Addition, Lots 1 through 4, Block 1 and Outlot A, HiMark Estates 4th Addition, all located in the Northwest Quarter of Section 11, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this amendment to the community unit plan will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of

Lincoln, Nebraska:

That the application of HiMark Development, Inc. hereinafter referred to as "Permittee", to amend HiMark Estates Community Unit Plan to revise General Note 12 to identify Lots 7-48, Block 2 as duplex lots with zero setbacks on all lot lines, on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction and operation of said community unit plan be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves Lots 7-48, Block 2 of HiMark Estates Community Unit Plan, as shown on Special Permit 1423F, to be developed with zero foot setbacks for all yards.

2. Before receiving building permits the construction plans must conform to the approved plans.

3. Before occupying the dwelling units all development and construction must be completed in conformance with the approved plans.

4. All privately-owned improvements must be permanently maintained by the Owner or an appropriately established homeowners association approved by the City Attorney.

5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

8. The site plan approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING AN AGREEMENT WITH LOWER PLATTE S. NATURAL RESOURCE DISTRICT TO MAINTAIN THE CITY'S WETLAND MITIGATION BANK - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82007 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Interlocal Agreement between the City of Lincoln and the Lower Platte South Natural Resources District to provide management of City's Wetland Mitigation Bank by the Lower Platte South Natural Resources District, upon the terms and conditions set out in said Agreement which is attached hereto marked as Attachment "A" and made a part hereof by reference, is hereby approved and the Mayor is authorized to execute said Interlocal Agreement on behalf of the City.

The City Clerk is directed to return one fully executed copy of said Interlocal Agreement to the lower Platte South NRD, Attn: Dan Schulz, P.O. Box 83581, Lincoln, NE 68501-3581.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING A GOLF LICENSE AGREEMENT BETWEEN THE CITY & TIMOTHY L. ROWLAND FOR PROFESSIONAL GOLF SERVICES AT PIONEERS GOLF COURSE & CLUBHOUSE FOR A PERIOD FROM FEBRUARY 16, 2003 THROUGH APRIL 30, 2006 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82008 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the license agreement which is attached hereto, marked as Attachment "A" and made a part hereof by reference, under which Timothy L. Rowlands is granted the privilege of operating all business concessions and rendering professional golf services at Pioneers Golf Course and Clubhouse for a three year period from February 16, 2003 through April 30, 2006, is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute said license agreement on behalf of the City.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING A GOLF LICENSE AGREEMENT BETWEEN THE CITY & DENIS M. VONTZ FOR PROFESSIONAL GOLF SERVICES AT HIGHLANDS GOLF COURSE & CLUBHOUSE FOR A PERIOD FROM FEBRUARY 16, 2003 THROUGH APRIL 30, 2006 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82009 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the license agreement which is attached hereto, marked as Attachment "A" and made a part hereof by reference, under which Denis M. Vontz is granted the privilege of operating all business concessions and rendering professional golf services at Highlands Golf Course and Clubhouse for a three year period from February 16, 2003 through April 30, 2006, is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute said license agreement on behalf of the City.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF SESOSTRIS SHRINE AT 1717 YOLANDE AVE. TO CONDUCT A RAFFLE WITHIN THE CITY OF LINCOLN FROM APRIL 21, 2003 THROUGH JULY 19, 2003 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82010 WHEREAS, Sesostris Shrine has made application for a permit to conduct a raffle in the City of Lincoln pursuant to Chapter 9.32 of the Lincoln Municipal Code; and

WHEREAS, said application complies with all of the requirements of Section 9.32.030 of the Lincoln Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That, after public hearing duly had as required by Section 9.32.050 of the Lincoln Municipal Code, the City Council does hereby grant a permit to Sesostris Shine to conduct a raffle in the City of Lincoln in accordance with the application filed by Roger Stutheit. The City Clerk is directed to issue a permit upon the payment by the applicant of the required fee, said permit to be valid only for the specific lotteries described in said application and only for a period of one year from the date of approval of this resolution. Said permit shall be subject to all of the conditions and requirements of Chapter 9.32 of the Lincoln Municipal Code.

BE IT FURTHER RESOLVED that pursuant to Section 9.32.080 of the Lincoln Municipal Code, a tax of 5% is imposed upon the gross proceeds received from the sale of raffle chances or tickets within the City of Lincoln, which tax shall be due no later than sixty (60) days after the conclusion of each raffle to be conducted hereunder, and if unpaid at that time, shall thereafter be delinquent.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, APRIL 7, 2003 @ 1:30 P.M. FOR MANAGER APPLICATION OF SCOTT A. SCHLATTER FOR HY-VEE, INC. DBA HY-VEE #5 LOCATED AT 7151 STACY LANE - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82011 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., April 7, 2003 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering

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the Manager Application of Scott A. Schlatter for Hy-Vee, Inc. dba Hy-Vee #5 located at 7151 Stacy Ln.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

PETITIONS & COMMUNICATIONS

The following items have been referred to the Planning Dept.:

CHANGE OF ZONE 3392 - APP. OF ASPEN BUILDERS, INC. FOR A CHANGE FROM AGR TO R-3 TO DEVELOP RESIDENTIAL LOTS ON PROPERTY LOCATED AT WEST "A" STREET AND N.W. 27TH STREET.

CHANGE OF ZONE 3401 - APP. OF CITY OF LINCOLN, CATHOLIC BISHOP OF LINCOLN, AND B & J PARTNERSHIP FOR A CHANGE FROM R-6 TO B-3 FOR THE REDEVELOPMENT OF A HALF BLOCK FOR AN ADULT RESIDENTIAL TREATMENT PROGRAM AND ADMINISTRATIVE OFFICES ON PROPERTY LOCATED AT 2645 P STREET, 2601 P STREET AND 135 N. 27TH STREET.

SPECIAL PERMIT 384E - APP. OF TABITHA, INC. TO ALLOW CONSTRUCTION OF A NEW REHABILITATION CENTER FOR BOTH IN-PATIENTS AND OUT-PATIENTS AND TO ADD 14 NEW PRIVATE NURSING BEDS ON THE THIRD FLOOR ON PROPERTY LOCATED AT 4720 RANDOLPH STREET.

SPECIAL PERMIT 2006 - APP. OF STEVEN HUGGENBURGER TO BUILD A NEW ADDITION TO EXISTING PROPERTY LOCATED AT 2400 S. 120TH STREET, WALTON, NE. (Note: Within 3-mile limit)

FORMAL PAVING PETITION FOR PAVING DISTRICT NO. 2625 FROM NORTH 57TH STREET FROM FREMONT TO HARTLEY STREETS, SUBMITTED BY ROLAND AND ANNA ROWLAND - CLERK presented said petition which was referred to the Law Dept.

SETTING THE HEARING DATE OF MONDAY, APRIL 7, 2003 AT 1:30 P.M. FOR THE APPLICATION OF ST. THOMAS AQUINAS CHURCH TO CONDUCT A LOTTERY IN THE CITY OF LINCOLN FOR THE PERIOD OF JUNE 1, 2003 - AUGUST 31, 2003 AND FIVE RAFFLES FROM OCT. 1, 2003 TO OCT. 31; NOV. 1 - NOV. 30; DEC 1 - DEC 31, 2003; JAN. 1 - JAN. 31; AND FEB. 1 - FEB. 28, 2004. - CLERK requested a motion to approve.

CAMP So moved.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED BY COUNCIL ON MARCH 17, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS FOR MARCH 17 THROUGH MARCH 21, 2003 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82012 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

INVESTMENT OF FUNDS FOR MARCH 10 THROUGH MARCH 14, 2003 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82013 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Terry Werner

Seconded by Camp & carried by the following vote: AYES: Camp,

Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

REPORT FROM CITY TREASURER OF TELECOMMUNICATIONS OCCUPATION TAXES FOR JANUARY, 2003: WORKING ASSETS FUNDING SERVICE, INC.; CRICKET COMMUNICATIONS, INC.; FEBRUARY, 2003: TELECORP COMMUNICATIONS, INC.; VARTEC TELECOM; NPCR, INC.; USA PAGING, LLC; AND OCMC, INC.; GUARANTEED PHONE SERVICE AND ATT WIRELESS PCS LLC - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR FEBRUARY, 2003 FROM AQUILA - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

ORDINANCES - 1ST READING

CREATING PAVING DIST. 2626 IN W. SOUTH ST., S.W. 23RD ST. TO S.W. 27TH ST., S.W. 27TH ST. FROM W. SOUTH ST. TO W. A ST. & ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read the following ordinance, introduced by Terry Werner, creating paving district 2626 in W. S. St., S.W. 23RD St. to S.W. 27th St., S.W. 27th St. from W. S. St. to W. A St. & assessing the costs thereof against the benefitted property, the first time.

CREATING RE-PAVING DIST. 156 IN S. CODDINGTON AVE., W. O ST. SOUTH APPROX. 1200 FEET & ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read the following ordinance, introduced by Terry Werner, creating re-paving dist. 156 in S. Coddington Ave., W. O St. south approx. 1200 feet and assessing the costs thereof against the benefitted property, the first time.

CREATING GRADING DIST. 151 IN THE EAST/WEST ALLEY, N. 69TH TO N. 70TH STS., X ST. TO Y ST., & ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read the following ordinance, introduced by Terry Werner, creating grading dist. 151 in the east/west alley, N. 69th to N. 70th Sts., X St to Y St., & assessing the costs thereof against the benefitted property, the first time.

CREATING GRAVELING DIST. 340 IN THE EAST/WEST ALLEY, N. 69TH TO N. 70TH ST., X ST. TO Y ST., & ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTY - CLERK read the following ordinance, introduced by Terry Werner, creating graveling dist. 340 in the east/west alley, N. 69th to N. 70th St., X St. to Y St., & assessing the costs thereof against the benefitted property, the first time.

RENAMING S. 30TH ST. BETWEEN O'HANLON DR. & GRAINGER PARKWAY AS "LAYTONJOHN LANE." - CLERK read the following ordinance, introduced by Terry Werner, renaming S. 30th St. between O'Hanlon Dr. & Grainger Parkway as "LaytonJohn Lane", the first time.

APPROVING A THREE-YEAR/5,000 HOUR LEASE AGREEMENT BETWEEN THE CITY & ELGIN SWEEPER COMPANY TO PROVIDE A FOUR-WHEELED STREET SWEEPER FOR SWEEPING OF RESIDENTIAL & ARTERIAL STREETS - CLERK read the following ordinance, introduced by Terry Werner, approving a three-year/5,000 hour lease agreement between the City and Elgin Sweeper Company to provide a four-wheeled street sweeper for sweeping of residential and arterial streets, the first time.

AMENDING CHAPTER 9.24 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON CONVICTED OF VIOLATING SPECIFIED STATE AND LOCAL THEFT OFFENSES TWICE WITHIN TEN YEARS TO PAWN OR SELL ANY PROPERTY TO A PAWNBROKER OR SECOND-HAND JEWELRY DEALER WITHIN THE CITY OF LINCOLN - CLERK read the following ordinance, introduced by Terry Werner, amending Chapter 9.24 of the Lincoln Municipal Code to provide that it shall be unlawful for any person convicted of violating specified state and local theft offenses twice within ten years to pawn or sell any property to a pawnbroker or second-hand jewelry dealer within the City of Lincoln, the first time.

AMENDING CHAPTER 9.36 OF THE LINCOLN MUNICIPAL CODE RELATING TO WEAPONS TO

MAKE IT UNLAWFUL FOR ANY PERSON TO POSSESS A FIREARM WITHIN THE CORPORATE LIMITS OR ON ANY PROPERTY OF THE CITY OF LINCOLN OUTSIDE THE CORPORATE LIMITS WHEN THAT PERSON HAS BEEN CONVICTED OF VIOLATING SPECIFIED STATE AND LOCAL OFFENSES WITHIN TEN YEARS; TO MAKE IT UNLAWFUL FOR ANY PERSON TO KEEP A FIREARM IN AN UNATTENDED MOTOR VEHICLE; AND TO PROVIDE A DEFINITION FOR THE TERM "FIREARM" - CLERK read the following ordinance, introduced by Terry Werner, amending Chapter 9.36 of the Lincoln Municipal Code relating to weapons to make it unlawful for any person to possess a firearm within the corporate limits or on any property of the City of Lincoln outside the corporate limits when that person has been convicted of violating specified state and local offenses within ten years; to make it unlawful for any person to keep a firearm in an unattended motor vehicle; and to provide a definition for the term "firearm", the first time.

ORDINANCES - 3RD READING

ADOPTING THE SUPPLEMENTS TO THE LINCOLN MUNICIPAL CODE DATED JUNE 2002 AND DECEMBER 2002 AS PART OF THE OFFICIAL LINCOLN MUNICIPAL CODE - CLERK read the following ordinance, introduced by Coleen Seng, adopting the supplements to the Lincoln Municipal Code dated June 2002 and December 2002 as part of the Official Lincoln Municipal Code, the third time.

SENG Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
The ordinance being numbered #18151 is recorded in Ordinance Book No.25, Page

RECONSIDERATION

APPROVING AN ANNEXATION AGREEMENT BETWEEN PINE LAKE DEVELOPMENT L.L.C., STANLEY L. PORTSCHE AND GRACE A. PORTSCHE, MID-AMERICAN UNION CONFERENCE ASSOCIATION OF SEVENTH DAY ADVENTISTS, AND THE CITY OF LINCOLN OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 41 ACRES OF PROPERTY GENERALLY LOCATED WEST OF 84TH STREET AND NORTH OF HIGHWAY 2. (In connection w/03-21, 03-22, 03R-26, 03R-27)

WERNER Moved to reconsider Bill No. 03R-25.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
FRIENDT Moved to have public hearing and action in three weeks on 4/14/03.
Seconded by Seng & carried by the following vote: YES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to March 31, 2003.
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

UPCOMING RESOLUTIONS -

A RESOLUTION IN SUPPORT OF PLACING A HIGH PRIORITY ON MAINTAINING ADEQUATE FUNDING FOR THE UNIVERSITY OF NEBRASKA.

FRIENDT Moved to waive council rules to add this item to the agenda and have public hearing next week.
Seconded by Seng & carried by the following vote: YES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CAMP Moved to approve the resolutions to have Public Hearing on March 31, 2003.
Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ADJOURNMENT

2:30 P.M.

CAMP Moved to adjourn the City Council meeting of March 24, 2003.
 Seconded by Friendt & carried by the following vote: AYES: Camp,
 Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
 So ordered.

Joan Ross, City Clerk

Glenna Graupmann, Senior Office Assistant

